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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,685	02/08/2002	Richard Dollet	09669/010001	8964

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EXAMINER

TO, BAO TRAN N

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 07/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,685

Applicant(s)

DOLLET, RICHARD

Examiner

Bao Tran N. To

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-9 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration. *canceled*.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20010917.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office action responds to the applicant's Preliminary Amendment filed on 02/08/2002. In this amendment, applicant amended Claims 1-2 and 4-9 and canceled Claim 3. Claims 1-2 and 4-9 remain for examination.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, **such as "means" and "said," should be avoided**. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-2 and 4-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation " said module " in line 16. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Any claim not specifically addressed, above, is being rejected as incorporating the deficiencies of a claim upon which it depends.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2 and 4-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Yu et al. (U.S. Patent 6,067,621) herein referred to as Yu.

Regarding on Claim 1, Yu discloses a method for secure loading of secret data from a first security module to at least one second security module, wherein said first module comprising at least one file of secret data (col. 7, lines 30-40), said second module comprises a first non-volatile memory and a second volatile memory (col. 6, lines 35-40), characterized in that it comprises the steps of:

- generating at least one random data item (random number) within the second memory (IC card) in the second module (terminal 120) (col. 6, lines 15-20) ,

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- recording information comprising said random data item within the first memory (random number memory) of the second module (terminal 120) (col. 9, lines 45-50) ,
- sending the random data item to the first module (server 140) (col. 7, lines 30-40) ,
- within the first module, encrypting a secret data item in the file of said first module based on the random data item and an encryption algorithm (col. 7, lines 40-60),
- sending said encrypted secret data item to the second module (col. 8, lines 5-10) ,
- transferring information comprising the random data item stored in the first memory of the second module, from said first memory to the second memory of said module (col. 8, lines 30-50),
- decrypting said encrypted secret data item, based on a decryption algorithm and the random data item, and recording, within the second module, said decrypted secret data item (col. 7, line 20-25).

Regarding on Claim 2, Yu discloses the limitations as discussed in Claim 1 above. Yu further discloses after transferring the information comprising the random data item from the first memory of the second module in the second memory of said module, erasing said information from said first memory (col. 6, lines 40-45).

Regarding on Claim 4, Yu discloses the limitations as discussed in Claim 1 above. Yu further discloses generating and sending the random data item as well as recording the information in the second module, are performed by means of a first command (col. 3, lines 30-40).

Regarding on Claim 5, Yu discloses the limitations as discussed in Claim 1 above. Yu further discloses transferring information decrypting the secret data item in the second module and recording are performed by means of a second command (col. 10, lines 1-15).

Regarding on Claim 6, Yu discloses the limitations as discussed in Claim 1 above. Yu further discloses the information which comprises said random data item, comprises an index relating to a secret data item (col. 7, lines 10-20).

Regarding on Claim 7, Yu discloses the limitations as discussed in Claim 1 above. Yu further discloses that several random data items are generated in the second memory of the second module and, after each random data item generation, information comprising the generated random data item is recorded in the first memory of the second module (col. 9, lines 45-50).

Regarding on Claim 8, Yu discloses the limitations as discussed in Claim 1 above. Yu further discloses on each loading operation, a random data item is used for loading a secret data item (col. 3, lines 30-40).

Regarding on Claim 9, Yu discloses the limitations as discussed in Claim 1 above. Yu further discloses on each loading operation, a unique random data item is used for loading several secret data items (col. 11, lines 60-65).

Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shefi (U.S. Patent 6,445,794 B1) discloses a method for generating an identical electronic one-time pad at a first location and a second location.

Kamitake et al. (U.S. Patent 4,862,501) discloses a communication network has a plurality of customer terminals and a single center terminal which are coupled through communication lines. A large scale integrated circuit is operatively coupled to each terminal. The integrated circuit device has enciphering and deciphering functions and has a recording device. When a transaction request message is sent from one customer terminal to the center, the transaction request message is enciphered by the integrated circuit device, and the enciphered message is sent to the center.

Mueller-Schloer (U.S. Patent 4,438,824) discloses the apparatus for identity verification using a data card contains at least one terminal and a security service station. The terminal(s) and the station are connected to each other via a

communication system. The terminal is provide with a central processing unit including a memory, a card reader for reading data from the data card, a sensor or number input device for introducing personal identification information, and a crypto module.

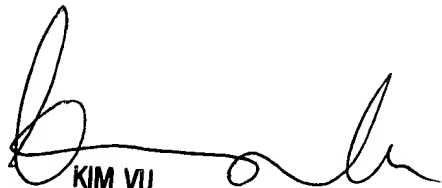
Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Tran N. To whose telephone number is 571-272-8156. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Tran N. To
Patent Examiner
07/13/2005


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100